

### REMARKS

Claims 4-12 are pending.

#### Allowable Subject Matter

Applicants acknowledge that claims 4 and 12 are allowed.

#### Priority

The action alleges that the present application fails to have a specific reference to the parent application no. 09/305,296, filed May 5, 1999. However, a supplemental ADS dated December 4, 2001 was filed with the Informational Disclosure Statement submitted December 11, 2001. The supplemental ADS provides a specific reference to the parent application 09/305,296. Moreover, the supplemental ADS was filed within four months of October 1, 2001, which is the filing date of this divisional application.

Applicants acknowledge Examiner Griffin's time and courtesy during the teleconference with Applicants' representative James E. Ruland on August 26, 2003. No exhibits were shown and no demonstration was conducted, no claims or prior art were discussed, and no amendments were proposed. Rather, Applicants inquired whether the supplemental ADS was present in the Examiner's file. The Examiner acknowledged that the supplemental ADS was in the file, and he would acknowledge priority and consider references in the IDS.

#### Informational Disclosure Statement

Applicants respectfully submit that the above discussion pertaining to priority removes the objection to the earlier informational disclosure statement. Consequently, Applicants respectfully submit that an initialed Form PTO-1449 should be returned in the next paper from the Office. Attached hereto for the Examiner's convenience is a photocopy of the earlier provided sheets 1-3 of Form PTO-1449.

### Specification Objections

The Action has objected to the specification. Attached hereto is a new Abstract obviating this objection. Consequently, Applicants respectfully submit that this objection should be withdrawn.

### Claim Rejections Under 35 U.S.C §112, Second Paragraph and Claim Amendments

Claims 5-11 stand rejected under 35 U.S.C §112, second paragraph as allegedly being indefinite. Particularly, claims 5 and 7 stand rejected for failing to provide the unit of the conversion percentage. Applicants have amended the claims 5 and 7 to clarify that the conversion percentage is by weight. Applicants respectfully submit that support for this amendment can be found in the specification examples at pages 20-23 and these rejections should be withdrawn. Applicants respectfully submit that these amendments do not narrow the scope of claims because they merely make explicit what is inherent. Furthermore, Applicants have corrected a typographical error in claim 4 by replacing "matarix" with --matrix--. Applicants respectfully submit that this amendment also does not narrow the scope of the claims.

In view of the above remarks, favorable reconsideration is courteously requested. If there are any remaining issues which can be expedited by a telephone conference, the Examiner is courteously invited to telephone Counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

James E. Ruland, Reg. No. 37,432  
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO  
& BRANIGAN, P.C.  
Arlington Courthouse Plaza 1, Suite 1400  
2200 Clarendon Boulevard  
Arlington, Virginia 22201  
Telephone: (703) 243-6333  
Facsimile: (703) 243-6410

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## **ABSTRACT**

The present invention relates to a hydrocracking process including contacting a hydrocarbon feed with a catalyst which is carried out at a pressure of at least 2 MPa, a temperature of at least 230°C, using a quantity of hydrogen of at least 100 NI hydrogen/l of feed and with an hourly space velocity of 0.1-10h<sup>-1</sup>. The catalyst includes

- 0.1-99.7% by weight of at least one alumina matrix;
- 0.1-80% by weight of at least one globally non dealuminated Y zeolite with a lattice parameter of more than 2.438 nm, a global SiO<sub>2</sub>/Al<sub>2</sub>O<sub>3</sub> mole ratio of less than 8, and a framework SiO<sub>2</sub>/Al<sub>2</sub>O<sub>3</sub> mole ratio of less than 21 and more than the global SiO<sub>2</sub>/Al<sub>2</sub>O<sub>3</sub> mole ratio;
- 0.1-30% by weight of at least one group VIII metal and/or 1-40% by weight of at least one group VIB metal (% oxide);
- 0.1-20% by weight of at least one promoter element selected from the group formed by boron and silicon (% oxide);
- 0-20% by weight of at least one group VIIA element;
- 0-20% by weight of phosphorous (% oxide); and
- 0.1-20% by weight of at least one group VIIB element.